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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,586	12/02/2005	Ian Hughes	GB920030045US1	2712
30449 7590 10/23/2008 SCHMEISER, OLSEN & WATTS 22 CENTURY HILL DRIVE SUITE 302 LATHAM, NY 12110			EXAMINER PATTON, SPENCER D	
			ART UNIT 4184	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/559,586	Applicant(s) HUGHES, IAN	
	Examiner SPENCER PATTON	Art Unit 4184	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/2/2005; 12/7/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim 23-52 are pending.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities:.

Line 2 of paragraph 44 refers to series of images "35" which should be replaced with --200-- to correspond with the drawings.

Paragraphs 72 and 74 contain "image library and route finding mechanism 15" which should be replaced with --image library 15 and route finding mechanism 13-- to correspond with the drawings. The second occurrence of "route finding mechanism 15" in paragraph 72 should also be changed to --route finding mechanism 13--.

Appropriate correction is required.

Claim Objections

3. Claims 30, 44, and 52 are objected to because of the following informalities: They lack proper antecedent basis for "the destination path". It is suggested that "destination path" is replaced with --destination location--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 23-26, 28-30, 32-40, 42-48, and 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huckle et al (WIPO Publication No. 02/063243) in view of Painter (European Publication No. 1,300,655).**

Huckle et al teaches:

Re claim 23. A method for providing navigational instructions, said method comprising:

receiving a signal (page 2, lines 13-15) from a first device (base unit; page 2, lines 11-12), said signal specifying a destination location (page 8, lines 6-8; the final direction specifies the destination location), a second device (user device; page 8, line 17), and a request for at least one route leading to the destination location such that the at least one route is to be sent to the second device (page 8, lines 1-3); and

sending at least one set of images to the second device (page 5, lines 15-17), wherein each set of images of the at least one set of images defines a unique route leading to the destination location (page 5, lines 9-13; Each unique starting location has a unique route to the destination location).

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Huckle et al fails to specifically teach: (re claim 1) determining a device type of the second device during or after said receiving the signal from the first device; and wherein a total number of said sets of images and a content of each set of images are a function of the determined device type.

Painter teaches data conversion applications which determine the type of content required by the users' devices, and then provides format-specific navigation instructions to the users' devices (page 4, lines 18-26).

In view of Painter's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method for providing navigational instructions as taught by Huckle et al, (re claim 1) determining a device type of the second device during or after said receiving the signal from the first device; and wherein a total number of said sets of images and a content of each set of images are a function of the determined device type; since Painter teaches that this will allow users with different types of computing platforms to use the navigation method (page 10, lines 42-43).

Huckle et al also teaches:

Re claim 24. Wherein the first and second devices are a same device (page 8, lines 16-18).

Re claim 25. Wherein the first and second devices are different devices (page 8, lines 16-18).

Re claim 26. Wherein the at least one set of images comprises a plurality of sets of images (page 5, lines 9-13; each starting location has an associated set of images).

Re claim 28. Wherein the signal does not comprise a starting location from which each route to the destination location is to originate from (page 5, lines 9-13; the user brought up the landmark he or she wishes to get directions to, but did not supply a starting location).

Re claim 29. Wherein the at least one set of images comprises a plurality of sets of images (page 5, lines 9-13; each starting location has an associated set of images).

Re claim 30. Wherein each set of images comprises a furthest image that is furthest from the destination path, and wherein the furthest images of the plurality of sets of images collectively form on a ring of images surrounding the destination location (page 5, lines 9-13).

Re claim 32. Wherein said sending comprises sending the at least one set of images to the second device as a time-ordered sequence of subsets of the images in the at

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least one set of images (page 5 lines 15-17), and wherein each subset is sent to the second device in response to a prompt from the first device (abstract, lines 3-4).

Re claim 33. Wherein said sending comprises sending the at least one set of images to the second device as a time-ordered sequence of subsets of the images of the at least one set of images (page 5, lines 15-17), and wherein each subset is automatically sent to the second device (abstract, lines 3-4).

Re claim 34. Wherein the method further comprises providing a database (page 6, lines 1-3) that comprises the at least one set of images, wherein each image in the at least one set of images is keyed in the database by the destination location for each route of the routes defined by the at least one set of images, and wherein said providing the database that comprises the at least one set of images is performed prior to said receiving the signal from the first device (page 6, lines 27-29; each starting location is keyed in to correspond with a destination location).

Re claim 35. Wherein the method further comprises providing a database that comprises the at least one set of images; and recording in the database that each set of images of the at least one set of images defines a unique route leading to the destination location, wherein said providing the database and said recording in the database are performed prior to said receiving the signal from the first device (page 6, lines 27-29; each unique starting location makes each route unique).

Re claim 36. Wherein the method further comprises providing a database that comprises the at least one set of images and relative indicators showing a positional relationship of each image in the at least one set of images relative to another image in the at least one set of images, and wherein said providing the database that comprises the at least one set of images and the relative indicators is performed prior to said receiving the signal from the first device (page 6 line 26).

Re claim 37. A computer program product stored on a computer readable storage medium, comprising computer readable program code (programming code; page 6, lines 9-11) for performing a method for providing navigational instructions (discussed above in re claim 23).

Re claims 38-40. These limitations are discussed above in re claims 24-26.

Re claims 42-44. These limitations are discussed above in re claims 28-30.

Re claim 45. A system comprising a server (base unit; page 6, line1) said server comprising a database for storing images of locations (database; page 6, line 2) and a computer program product (programming code; page 6, lines 9-11) for performing a

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method for providing navigational instructions using images in the database (discussed above in re claim 23)

Re claims 46-48. These limitations are discussed above in re claims 24-26.

Re claims 50-52. These limitations are discussed above in re claims 28-30.

6. Claims 27, 41, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huckle et al in view of Painter as applied to claims 23, 37, and 45 above, and further in view of Ohler et al (US Patent No. 6,314,367).

The teachings of Huckle et al in view of Painter have been discussed above.

Huckle et al in view of Painter fails to specifically teach: (re claims 27, 41, 49) receiving a vote on a usefulness of each received image in the at least one set of images; and modifying the database in dependence upon said received votes, wherein said modifying comprises at least one of replacing, deleting, and amending at least one image in the at least one set of images in the database.

Ohler et al teaches an error reporting process for a navigation device (column 11, lines 16-21; and column 12, lines 46-49) in which the reported errors are counted as if they were votes (column 12, line 66 through column 13, line 9), and the database is corrected when there are many errors reports in an area (column 13, lines 12-15).

In view of Ohler et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method for providing navigational instructions as taught by Huckle et al in view of Painter, (re claims 27, 41, 49) receiving a vote on a usefulness of each received image in the at least one set of images; and modifying the database in dependence upon said received votes, wherein said modifying comprises at least one of replacing, deleting, and amending at least one image in the at least one set of images in the database; since Ohler et al teaches user feedback as a way to improve the geographic database of a navigation system.

7. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huckle et al in view of Painter as applied to claims 23, 37, and 45 above, and further in view of Russian Metro Map.

The teachings of Huckle et al in view of Painter have been discussed above.

Huckle et al in view of Painter fails to specifically teach: (re claim 31) wherein the ring of images is shaped as a circle whose center is at the destination location.

Russian Metro Map teaches a schematic drawing in which the stations on the brown line which form a ring around Moscow are placed in a circle around Moscow.

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In view of Russian Metro Map's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the method for providing navigational instructions as taught by Huckle et al in view of Painter, (re claim 31) wherein the ring of images is shaped as a circle whose center is at the destination location; since Russian Metro Map teaches that placing locations which form a ring into a circular configuration on a schematic map is easier to read.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Walker et al (US Patent No. 6,199,014), and Cooper et al (US Patent No. 6,621,423) teach navigation devices which use visual cues such as landmarks. Bruce et al (US Patent No. 6,539,080) teaches a computer which requests directions from a database which then sends the directions to a phone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SPENCER PATTON whose telephone number is (571)270-5771. The examiner can normally be reached on Monday-Thursday 7:30-5:00; Alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on (571)272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. P./
Examiner, Art Unit 4184

/ISAM ALSOMIRI/
Primary Examiner, Art Unit 3662